

**MINUTES  
CHICOPEE MOBILEHOME RENT CONTROL BOARD  
MARCH 30, 2015 @ 6:00 P.M.**

**MEMBERS PRESENT**

Robert Hopkins, Sharyn Riley, Joshua Clark, Fides Ushe

**ALSO PRESENT**

Christine Pikula, Attorney to the Board  
Chantal Paul, Secretary

**OLD BUSINESS**

**Robert Hopkins:** We have the minutes of the last meeting, motion to accept or amend the minutes?

**Joshua Clark:** Motion to accept. *Motion passes.*

**Robert Hopkins:** The next order of business is that we have proposals from Marcia Stemm, the owner of three mobilehome parks in the City of Chicopee. We will take them the order of which they were received in the office, which would be Gill, Harmony and Knollwood.

Bob reads rules...

**Gill Mobilehome Park**

**Marcia Stemm:** Reads her proposal. Requesting an increase per tenant per month of \$21.83 bringing the monthly increase from \$257.23 to \$279.06 per month per tenant per month. We are requesting an increase based on the following:

**Real Estate Taxes:**

An increase per tenant per month of	\$4.98
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**Water & Sewer:**

An increase per tenant per month of	\$5.55
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**Trash Removal:**

An increase per tenant per month of	\$2.25
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**Snow Plowing & Sanding:**

**An increase per tenant per month of**

**\$9.05**

The requested total increase of \$21.83 is to cover the cost of expenses that we have no control over. Some of these bills are over two years old and have already paid them, but they are not covered by the current rent. Attached to the letter you will find the documentation to support the current increase cost of real estate taxes, water & sewer, trash removal and snow plowing and sanding.

**Joshua Clark:** You mentioned sewer rates will be going up July 1<sup>st</sup>. Do you have any plans to return at any point to raise the sewer rates that you're collecting.

**Marcia Stemm:** Yes.

**Robert Hopkins:** She can't raise the price without going through the Board.

**Sharyn Riley:** I noticed in your back up, you mention bidding the snow plowing. Can you elaborate a little bit on what you found? Is the one you're using the lowest bidder? How many people bid on it and what was the outcome?

**Marcia Stemm:** The last time I bid (inaudible).

**Sharyn Riley:** How did you solicit the quotes? Did you advertise, make phone calls to get quotes.

**Marcia Stemm:** Sometimes there was somebody from the park that recommended somebody.

**Fides Ushe:** My question is on how you chose to average the plowing and the sanding bill for just the last two years. If the last adjustment was 2011, is there a reason why you didn't go back to 2011, 2012 to average those amounts?

**Marcia Stemm:** We took the last two years and typically we averaged anywhere from three to five years, we thought about doing that but the problem is what was allowed was \$12,628.33. These last two years were well over that. We have already spent that. Therefore, we took the average from the last two years.

**Fides Ushe:** I understand but it looks like you're averaging the higher of the amounts. Going forward we want to average it over what would be expended. It has to be an average that is for a reasonable amount of years.

**Joshua Clark:** My point would have been when you calculated the \$12,000.00,.....in 2011 you said you typically use the previous three to five years. If you were to include 2011, 2012,

2013 and 2014, would you come to a similar number to what you have now? Or would it be lower or higher? It's got to be consistent.

**Robert Hopkins:** Any questions from the Board before I ask for tenant's rebuttal? Any one from tenants wish to speak.

**Jim Walton:** Gill Park, Lot #10, at this time my questions go to Ms. Stemm. You're using the word "evidence". So I guess what I submitted is evidence. The others items, there is no supporting evidence. Part of the law is due diligence and due process. She didn't back them up with a receipt. She did that very well for water, sewer, snow plow and trash. So I cannot comment without receipts.

**Robert Hopkins:** Which are you talking about?

**Jim Walton:** We did not get supporting evidence. Where are the receipts.

**Robert Hopkins:** This is done under penalties and perjury.

**Robert Hopkins:** Deliberations for the Board. Shall we begin?...the first item on Page 2 of the original letter says "we are requesting a total rent increase of \$21.83 based on the following expenses". There are 55 lots with a four that are vacant. To a total of 51 occupied lots. The division number will be 51. The request is real estate taxes to meet the demands of the City of Chicopee as of 2014 is \$4.98 per tenant per month. Motion or discussion item number 1.

**Sharyn Riley:** The bottom line is the real estate bill is what it is. The only question is whether it should it be on 51 lots.

**Robert Hopkins:** That's a very good question. There are 4 lots that are vacant so instead of dividing by 55 which would be less per tenant, it's based on the occupied lots.

**Fides Ushe:** I'm still concerned about the tenants having to pay for those 4 lots.

**Robert Hopkins:** The number of lots that would be appropriate...on one hand, the tenants make a good point, they're paying for lots that have no income on them, on the other hand, the park incurred the expense of having no income. Do we have a motion on line item #1 Real Estate Taxes \$4.98.

**Sharyn Riley:** I make a motion to accept.

**Joshua Clark:** Second.

**Fides Ushe:** I abstain.

**Robert Hopkins:** Two in favor and one abstain.

**Robert Hopkins:** I have to vote, I vote yes. *Motion passes.*

Water and sewer increase of \$5.55, motion...

**Sharyn Riley:** I would like to make the point that there is only 1 meter, so it is what it is, we can't control that.

**Robert Hopkins:** Do we have a motion to accept the \$5.55?

**Fides Ushe:** Yes.

**Sharyn Riley:** Second.

**Robert Hopkins:** Any discuss? All in favor?

**Board:** I... *Motion passes.*

Trash removal \$2.25 per tenant per month. Motion to accept?

**Joshua Clark:** Accept.

**Fides Ushe:** Second.

**Robert Hopkins:** All in favor.

**Board:** I. *Motion passes unanimously.*

**Robert Hopkins:** Final item for discussion, snow plowing and sanding, controlled by the formula averaging the two last bills. The amount that was requested is \$9.05 based on cost.

**Joshua Clark:** I have concern with this because of the method of calculation of the amount that was requested. As you indicated in your statement, you took 3 – 5 years of the average of the snow removal for the last request which was in 2011. However, in this request you took an average of the last 2 years which were years that had a lot of snow. However, next year there could be 1 inch that falls and now there is all this money that was allocated to you based on 2 years that were really high and not 3 – 5 years average as you previously did, so I'm a little wiggly on the \$9.05.

**Robert Hopkins:** The January and February 2015 invoices cannot be considered because of the timing of the receipt for the proposals. So based upon the evidence before us.

That figure clearly is subject to revision by the Board. Do we have a motion to move this forward? \$9.05 reasonable arrived at... Let's have a motion to discuss.

**Joshua Clark:** If we go with Sharyn, Snow plowing and sanding would be \$4.53.

**Sharyn Riley:** Yes.

**Robert Hopkins:** \$4.53?

**Sharyn Riley & Joshua Clark:** Yes.

**Fides Ushe:** Second.

**Board:** All in favor. Motion passes.

**Robert Hopkins:** The effective date of the rent increase will be May 1, 2015 and the total increase is \$17.31. Do we intend to prohibit from coming to us for 2 years.

**Board:** No, Leave it alone.

### **Harmony Homes Village**

**Robert Hopkins:** The next item agenda is Harmony Harmony Homes Village. We received a request for increase in rent for \$47.46. Asking that owner read proposal.

**Marcia Stemm:** Looking for increase of \$47.46 to increase the rent from \$257.76 to \$305.22. Harmony Homes Village has 123 lots with a vacancy of 4 lots for a total of 109 occupied lots. We are requesting an increase of \$47.46 based on the following expenses:

#### **Real Estate Taxes:**

<b>An increase per tenant per month of</b>	<b>\$3.66</b>
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#### **Water & Sewer:**

<b>An increase per tenant per month of</b>	<b>\$38.61</b>
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#### **Trash Removal:**

<b>An increase per tenant per month of</b>	<b>\$1.09</b>
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#### **Snow Plowing & Sanding:**

<b>An increase per tenant per month of</b>	<b>\$4.10</b>
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I have a spreadsheet that shows the Mobilehome Rent Control Board's decision of 12/2013. We just received our winter bill, I know it was a cold winter, but they let the water run. The bill was \$37,554.26.

**Robert Hopkins:** \$37,...for what period?

**Marcia Stemm:** For one quarter, this very last quarter. If I knew you wanted 3 years, I would have given you 3 years.

**Robert Hopkins:** Ms. Stemm has completed her proposal. Do we have any evidence from Harmony Homes Village. We have a handwritten letter. Anything that the Board needs to discuss. No other rebuttals from the tenants? Ok, seems the tenants have concluded their remarks. Board, let's take a peek at the proposal.

Motion to accept \$3.66 as a reasonable increase for Harmony Homes?

**Fides Ushe:** I make motion.

**Joshua Clark:** Second. *Motion passes unanimously.*

**Robert Hopkins:** Trash removal for \$1.09 per month. Do we have a motion?

**Fides Ushe:** Yes,

**Sharyn Riley:** I'll second. All in favor. *Motion passes unanimously.*

**Robert Hopkins:** And Snow plowing and sanding for \$4.10 per month. Based up to 2014 expenses.

**Joshua Clark:** When I listen to your statement about Gill, I took the way that you measured the previous snow plowing and sanding increase, the way that you would have done this one, we would have wanted to get the average of plowing from the time you last requested the snow plowing and since we did grant half of what you requested for Gill, I think that the same should be done here. I'm in favor of going with \$2.05.

**Robert Hopkins:** Do we have a motion on the floor at this time?

**Joshua Clark:** I make a motion to adjust the snow plowing and sanding from \$4.10 to \$2.05.

**Fides Ushe:** I second.

**Robert Hopkins:** All in favor, any one oppose?

**Board:** All in favor. *Motion passes unanimously.*

**Robert Hopkins:** Motion to accept \$38.61? Discussion on the Water & Sewer increase of \$38.61 requested as evidence by the bills submitted for 2013/2014.

**Fides Ushe:** My question is why is this such a big difference from the other park in terms of usage?

**Robert Hopkins:** Let's decide what we are going to do about the water and sewer bill.

**Sharyn Riley:** The question is why are you using so much water?

**Robert Hopkins:** Ready for a motion .

**Sharyn Riley:** I make a motion that we accept the \$38.61.

**Robert Hopkins:** We have a motion before us based on the evidence presented before us at the rate of \$38.61 is legitimate water bill. As to what the cause is, that's not for the Board to decide.

**Joshua Clark:** Second. I think you should have the City come and look at that. An increase that high is really unreasonable.

**Robert Hopkins:** We voted in favor of the real estate going up \$3.66, water and sewer \$38.61, trash removal \$1.09 and snow plowing and sanding \$2.05 instead of \$4.10. The total increase will be \$303.17 and will be effective May 1, 2015.

We cannot finish Knollwood tonight, the hearing will continue on Wednesday, April 8<sup>th</sup> @ 6:00.

Initial meeting for Westover Trailer Park will be May 11, 2015 @ 6:00 p.m.

Motion to adjourn @ 8:26 p.m.